

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**HILDA L. SOLIS, Secretary of Labor,
United States Department of Labor,**

Plaintiff,

v.

**DARN DEPENDABLE SERVICES,
LLC; DERBA TRAPP, Individually;
DEBB HOMAN, Individually; and SUE
SEEFUS, Individually,**

Defendants.

CASE NO. 8:10CV355

ORDER

This matter is before the Court on the parties' Joint Motion to Reopen Case (Filing No. 9) filed by Plaintiff Hilda L. Solis, Secretary of Labor for the United States Department of Labor. On October 26, 2010, the Court entered a Consent Judgment (Filing No. 8) that enjoined the Defendants from violating the Fair Labor Standards Act ("FLSA"), 29 U.S.C. §§ 201 *et seq.*, and ordered them to pay civil penalties in the amount of \$1,250.00. The case was closed following the entry of the Consent Judgment. In her Motion, Plaintiff states that, on or about August 1, 2011, the United States Department of Labor determined that the Defendants violated the FLSA, that the Defendants have admitted to violating the FLSA, and that the Defendants do not object to the reopening of this matter for the purpose of enforcing the injunction contained in the Consent Judgment.

Although the Motion to Reopen does not specify the Federal Rule of Civil Procedure relied upon for the basis of the Motion, it most closely resembles a Rule 60(b) motion for relief from a judgment or order. The Court finds that the relief from the Consent Judgment is justified.

Accordingly,

IT IS ORDERED:

1. The Joint Motion to Reopen Case (Filing No. 9) is granted; and
2. The Clerk of Court shall reopen this case.

Dated this 3rd day of January, 2012.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge